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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/501,874 02/10/00 RANZINI

S 3892-4000

EXAMINER

TM02/0327

MORGAN & FINNEGAN L L P  
345 Park Avenue  
New York NY 10154

ELISCA, P

ART UNIT

PAPER NUMBER

2161

DATE MAILED:

03/27/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.

09/501,874

Applicant(s)

Ranzini Stephen Lange et al.

Examiner

Pierre Eddy Elisca

Group Art Unit

2161

☒ Responsive to communication(s) filed on Feb 10, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire THREE month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-187 is/are pending in the application.

Of the above, claim(s) none is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-187 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

**Art Unit: 2161**



**Examiner Pierre Eddy Elisca**

**United States Department of Commerce**

**Patent and Trademark Office**

**Washington, D. C. 20231**

### **DETAILED ACTION**

1. This office action is in response to application serial number 09/501,874, filed on 02/10/2000.

2. Claims 1-187 are pending

### **ABSTRACT**

3. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

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The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-15, 19-27, 55-61, 73-81, 100-112, 121, 122, 126, 128, 129, 130, 140-149, 155-159, 162-164, 172-174, 177-179 and 180-182 are rejected under 35 U.S.C. 102 (b) as being anticipated by Bocinsky (U.S. Pat. No. 5,371,797).

As per claims 1, 2, 4, 5, 8-15, 19, 20, 22, 23, 26, 27, 55, 56, 58, 59, 121, 122, 129, 130, 140- 144, 162, 163 and 164 Bocinsky discloses a secure electronics funds or other financial transaction system that provides substantially equivalent security to that obtained by the use of secure

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point of sale terminals which is equivalent to Applicant's claimed invention wherein said: a method for securely transferring electronic funds, comprising;

a) assigning at least one security attribute to a computer file containing a digital representation of money, wherein the at least one security attribute precludes unauthorized access to the file containing the digital representation of money (see., fig 2, elements 30 and 36, abstract, col 11, lines 3-34, col 12, lines 4-34);

b) transmitting the file containing a digital representation of money to a recipient (see., abstract, lines 6-26, col 6, lines 6-67).

**As per claims 3, 21 and 57, Bocinsky** discloses the claimed method, wherein the at least one security attribute is the requirement that a recipient of the file containing a digital representation of money enter password, social security number, employee identification number or personal identification number (see., col 4, lines 36-59)

**As per claims 6, 24 and 60, Bocinsky** discloses the claimed method, wherein the at least one security attribute is the requirement that a recipient of the file containing digital representation of money prove they are the intended recipient through use of a random number generator card or smart card (see., col 5, lines 23-39).

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As per claims 7, 25 and 61, Bocinsky discloses the claimed method, wherein the at least one security attribute is the requirement that a recipient of the file containing a digital representation of money prove they are the intended recipient through biometric scan comprised of a retina scan, fingerprint, voiceprint (see., col 18, lines 48-68).

Claims 73-81, 126, 145-149, 172, 173 and 174 are system's claims that contain the same limitation as claims 1-18, and claim 73, therefore are rejected by the same rationale.

Claim 100-108, 128, 155-159, 177, 178 and 179 are system's claims that contain the same limitation as claims 1-18, therefore are rejected by the same rationale.

Claims 109-112, 180, 181 and 182, contains the same limitation as claim 1, therefore are rejected by the same rationale.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 62- 72, 113-120, 125, 170, 171 and 183-187 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bocinsky, Jr. (U.S. Pat. No. 5,371,797).

As per claims 62-72, 113-120, 125, 170, 171, 183, 184, 185, 186 and 187 Bocinsky substantially discloses the claimed limitations as stated above in claims 1 and 13, but he fails to specifically disclose the step of confirming the transfer upon receiving an electronic mail message. However, Examiner hereby takes Official Notice that electronic mail is notoriously well-known in the art. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the electronic funds transfer of Bocinsky by including an electronic mail upon receiving the money transfer because electronic mail is an object of the internet.

*Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 16-18, 28-54, 82-99, 123, 124, 127, 131-139, 150-154, 160, 161, 165-169, 175 and 176 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bocinsky, Jr. (U.S. Pat. No. 5,371,797).

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As per claims 16-18, 28-54, 82-99, 123, 124, 127, 131-139, 150-154, 160, 161, 165-169, 175 and 176, Bocinsky substantially discloses the claimed limitations as stated above in claims 1 and 13, but he fails to specifically disclose the step of confirming the transfer upon receiving an electronic mail message. However, Examiner hereby takes Official Notice that electronic mail is notoriously well-known in the art. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the electronic funds transfer of Bocinsky by including an electronic mail upon receiving the money transfer because electronic mail is an object of the internet.

### **CONCLUSION**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication from the examiner should be directed to Pierre Eddy Elisca at (703) 305-3987. The examiner can normally be reached on Tuesday to Friday from 6:30AM. to 5:00PM.

9. If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9769.

**Any response to this action should be mailed to:**

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or faxed to:

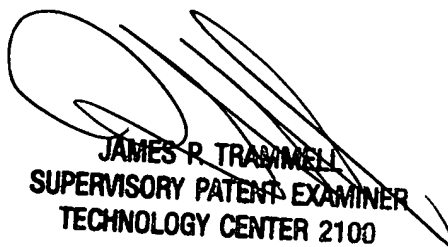
(703) 308-9051, (for formal communications intended for entry )

OR:

(703) 305-9724 ( for informal or draft communications, please label

"PROPOSED" or" DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA.,  
Sixth floor (receptionist ).

  
JAMES R. TRAMMELL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

  
Pierre Eddy Elisca

Patent Examiner

March 23, 2001